

**CALENDAR ITEM
C43**

A 72
S 34

02/07/17
PRC 3579.1
S. Avila

REVISION OF RENT

LESSEE:

Oliver E. Clark III and Jean A. Clark, Trustees of the Oliver E. Clark III and Jean A. Clark Family Trust dated October 12, 1983

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Huntington Harbour, adjacent to 16601 Carousel Lane, city of Huntington Beach, Orange County.

AUTHORIZED USE:

The continued use and maintenance of an existing boat dock, rock slope protection, and placement of a sheet pile; the retention of an existing cantilevered deck with glass railing and access ramp; the removal of an existing sunroom and catwalk; and the construction, use, and maintenance of a glass railing and pillars.

LEASE TERM:

10 years, beginning March 29, 2012.

CONSIDERATION:

Boat dock, access ramp and cantilevered deck: This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff reviewed the rent under this lease and recommends that rent be revised from \$1,880 per year to \$2,435 per year, effective March 29, 2017.

Rock slope protection and sheet pile: The public health and safety, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

OTHER PERTINENT INFORMATION:

1. On March 29, 2012, the Commission authorized a 10-year General Lease – Recreational and Protective Structure Use to Oliver E. Clark III and Jean A. Clark, Trustees of the Oliver E. Clark III and Jean A. Clark Family Trust dated October 12, 1983, for an existing boat dock, rock slope protection, and placement of a sheet pile; the retention of an existing cantilevered

CALENDAR ITEM NO. **C43** (CONT'D)

deck with glass railing and access ramp; the removal of an existing sunroom and catwalk; and the construction, use, and maintenance of a glass railing and pillars ([Calendar Item C94, March 29, 2012](#)). That lease will expire on March 28, 2022.

2. This action is consistent with Strategy 2.2 of the Commission's Strategic Plan to ensure timely receipt of revenues and royalties from the use and development of State lands and minerals.
3. Approving the revision of rent is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5).

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

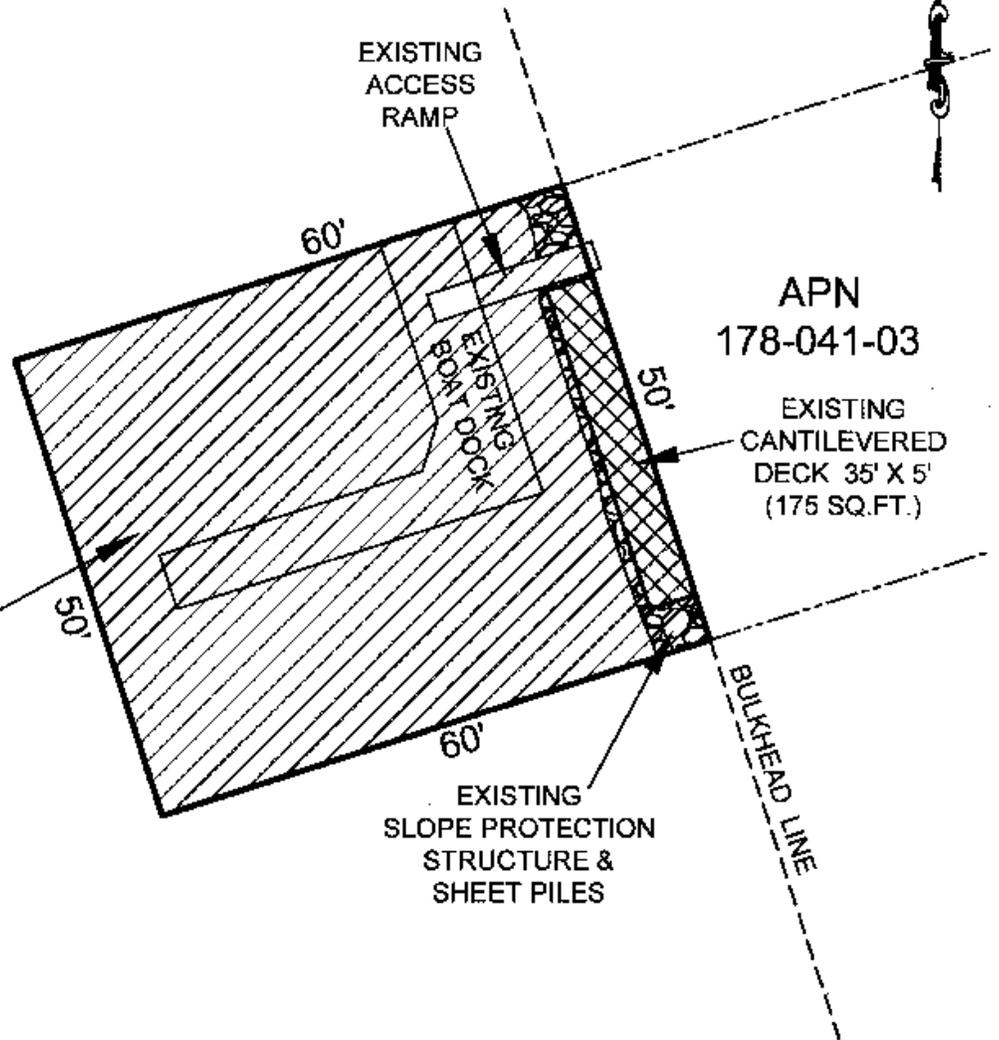
Approve the revision of rent for Lease No. PRC 3579.1 from \$1,880 per year to \$2,435 per year, effective March 29, 2017.

NO SCALE

SITE

STATE OF CALIFORNIA 400' CHANNEL

LEASE AREA



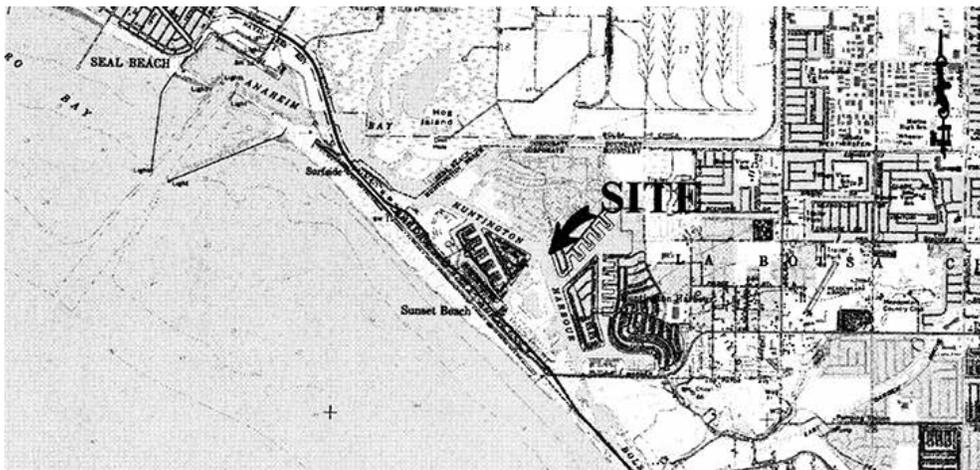
APN 178-041-03

EXISTING CANTILEVERED DECK 35' X 5' (175 SQ.FT.)

16601 CAROUSEL LANE, HUNTINGTON HARBOUR

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit A

PRC 3579.1
CLARK FAMILY TRUST
APN 178-041-03
GENERAL LEASE-
RECREATIONAL &
PROTECTIVE STRUCTURE USE
ORANGE COUNTY



TS 12/19/16